

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

IN RE:	§	
	§	Case No. 21-30107
PDG PRESTIGE, INC.	§	(Chapter 11)
	§	
Debtor.	§	
	§	

**MOTION OF DEBTOR TO EXTEND TIME FOR FILING CERTAIN
LISTS, SCHEDULES, AND STATEMENTS PURSUANT TO
BANKRUPTCY RULE 1007**

TO THE HONORABLE H. CHRISTOPHER MOTT, U.S. BANKRUPTCY JUDGE:

PDG Prestige Inc. debtor and debtor in possession (“PDG-P” or the “Debtor”) file this *Motion of Debtor to Extend Time for Filing Certain Lists, Schedules, and Statements Pursuant to Bankruptcy Rule 1007* and in support thereof would show the Court the following.

INTRODUCTION

1. This motion seeks authorization for the Debtor to file schedules, equity security holders list, and the statement of financial affairs by **March 15, 2021**.
2. The meeting of creditors is scheduled for March 18, 2021.

JURISDICTION AND VENUE

3. The Court has jurisdiction over this action pursuant to, and without limitation §§ 105, 363, 507, and 1101 et seq. of the United States Bankruptcy Code, 11 U.S.C. § 101 et seq. (the “Code”).
4. Venue action is proper in this Court pursuant to 28 U.S.C. § 1409.
5. The Court may try this action to a conclusion and enter final orders under *Stern v. Marshall*, 131 S. Ct. 2594 (U.S. 2011).

FACTUAL BACKGROUND

The identify and background of the Debtors and Debtors in Possession.

6. PDG-P owns and is developing a tract of commercial real property in Las Cruces, New Mexico.

The Commencement of the Bankruptcy Cases.

7. On February 15, 2021, PDG-P commenced the above-captioned Chapter 11 case by filing a voluntary petition.

8. PDG-P commenced this case in order to stop the foreclosure of the subject real property by the first lien holder and following the exhaustion of attempts to delay foreclosure in order to complete one or more sales of some or all of the property.

Factual background in support of the relief requested, and basis of relief.

9. PDG-P retained the undersigned law firm as of February 15, 2021 for this case.

10. The schedules and related initial pleadings were due on March 1, 2021.

11. The meeting of creditors is set on March 18, 2021.

12. Debtor seeks an extension of time to file its schedules and other initial pleadings to **March 15, 2021**.

13. Bankruptcy Rules 1007(a)(5) and (c) authorizes the Court to grant an extension of the date by which the lists and the schedules and statements of the Debtor must be filed pursuant to Bankruptcy Rule 1007, “on motion for cause shown.”

14. Cause exists for an extension due to the following circumstances including the following circumstances.

- a. The undersigned was retained upon or with the commencement of this case and otherwise requires more time to complete the schedules and initial pleadings.

- b. The principal of the Debtor., Mr. Michael Dixon, is devoting time and resources to two (2) recently-filed Chapter 11 bankruptcy cases (this case and Case No. 21-30071, *In re The Gateway Ventures, LLC*), with limited or no additional support to (i) address the various commitments required of a Chapter 11 debtor in possession, (ii) amass the detailed information that is necessary for the schedules and the SOFA, and/or (iii) to otherwise then address the operational and business aspects of these cases.

15. If the extension is granted, the schedules and related items will be filed three (3) days prior to the Code §341 meeting of creditors.

16. Courts routinely have granted similar relief in other cases. Accordingly, the Debtor's request for an extension of time to file the schedules and related items is appropriate and warranted under the circumstances.

17. Notice of this Motion has been provided to the Office of the United States Trustee for the Western District of Texas, and all creditors identified to date.

RELIEF REQUESTED

18. Accordingly, pursuant to Rule 1007, PDG-P respectfully requests an extension through and until **March 15, 2021** of the time to permitted to file its schedules, list of equity security holders, and statement of financial affairs, and any other items required by Rule 1007.

CONCLUSION AND PRAYER

WHEREFORE, PDG Prestige Inc., the debtor and debtor-in-possession respectfully request that the Court enter an order (i) extending through and until **March 15, 2021** the time permitted to file its schedules, list of equity security holders, and statement of financial affairs, and any other items required by Rule 1007; and (ii) granting such other and further relief to which the Debtor may be entitled at law or in equity.

Dated: March 3, 2021

Respectfully submitted:

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

By: /s/ Jeff Carruth

JEFF CARRUTH (TX SBN:. 24001846)

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PROPOSED ATTORNEYS FOR

PDG PRESTIGE INC.

DEBTOR AND DEBTOR IN POSSESSION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on March 3, 2021 (1) by electronic notice to all ECF users who have appeared in this case to date, as set forth below and (2) by regular mail to all parties appearing in the attached address list (i.e. mailing matrix) obtained from the Court's PACER facility as attached below.

/s/ Jeff Carruth

JEFF CARRUTH

ECF SERVICE LIST

Notice will be electronically mailed to:

Jeff Carruth on behalf of Debtor PDG Prestige, Inc.

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memert@mhba.com; mreynolds@mhba.com; bwodellscvtwx@ecf.axosfs.com

Donald P. Stecker on behalf of Creditor City Of El Paso

don.stecker@lgbs.com

United States Trustee - EP12

USTPRegion07.SN.ECF@usdoj.gov

REGULAR MAIL LIST / MATRIX

Label Matrix for local noticing
0542-3
Case 21-30107-hcm
Western District of Texas
El Paso
Wed Mar 3 14:51:50 CST 2021

City Bank
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Special Procedures Staff - Insolvency
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End of Label Matrix
Mailable recipients 13
Bypassed recipients 0
Total 13

PROPOSED ORDER

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

IN RE:	§	
	§	Case No. 21-30107
PDG PRESTIGE INC.,	§	(Chapter 11)
	§	
Debtor.	§	
	§	

**ORDER GRANTING MOTION OF DEBTOR TO EXTEND TIME FOR
FILING CERTAIN LISTS, SCHEDULES, AND STATEMENTS
PURSUANT TO BANKRUPTCY RULE 1007 (RE: DOCKET NO. 7)**

On this day came on for consideration the *Motion of Debtor to Extend Time for Filing Certain Lists, Schedules, and Statements Pursuant to Bankruptcy Rule 1007* (Docket No. 17) filed herein on March 3, 2021 by PDG Prestige Inc., debtor and debtor in possession (“PDG-P” or the “Debtor”). The Court finds and concludes that upon review of the record of this case that sufficient notice was provided in accordance with the Federal Rules of Bankruptcy Procedures and/or the Local Bankruptcy Rules and with respect to the Motion to Extend Time (Schedules) that cause exists to grant the relief requested therein.

IT IS THEREFORE ORDERED THAT the deadline under Fed. R. Bankr. P. 1007 for the Debtor to file the schedules, statement of financial affairs, and other remaining lists due under Rule 1007 is extended to **March 15, 2021.**

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